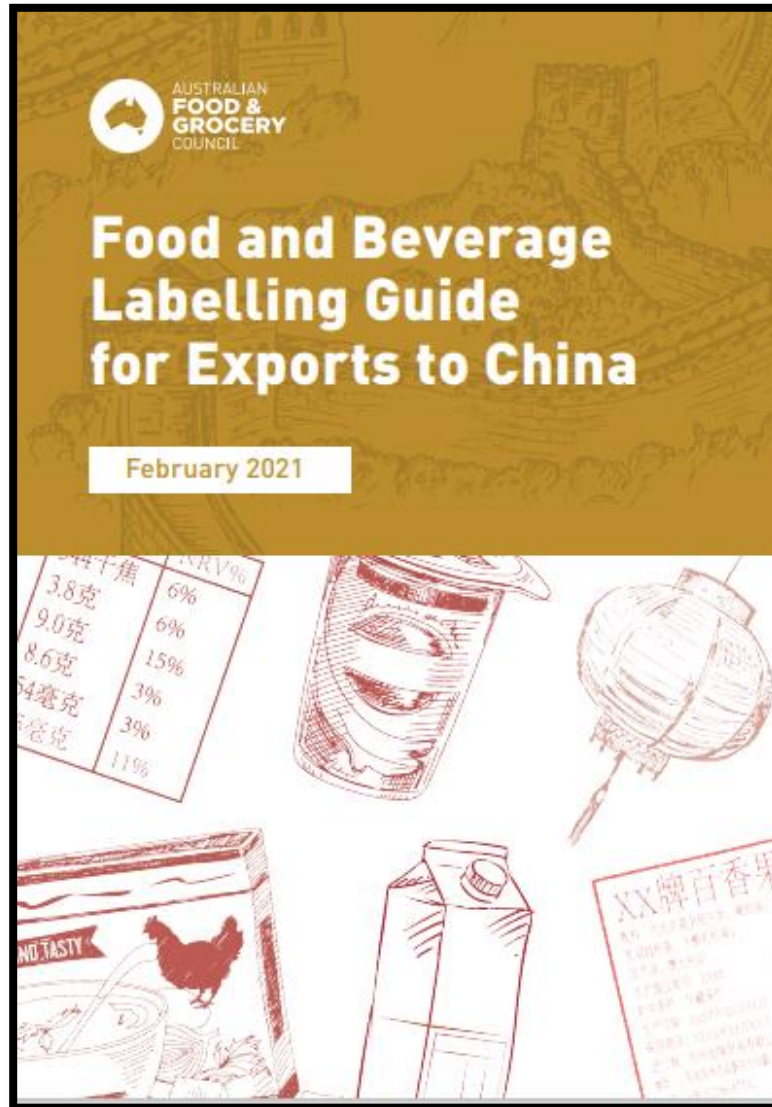


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Labelling Workshop: China

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Competition Caution

The AFGC requires that participants at this meeting must not enter into any discussion, arrangement or understanding that may, in any way, infringe applicable competition laws.

In particular, members and participants must not:

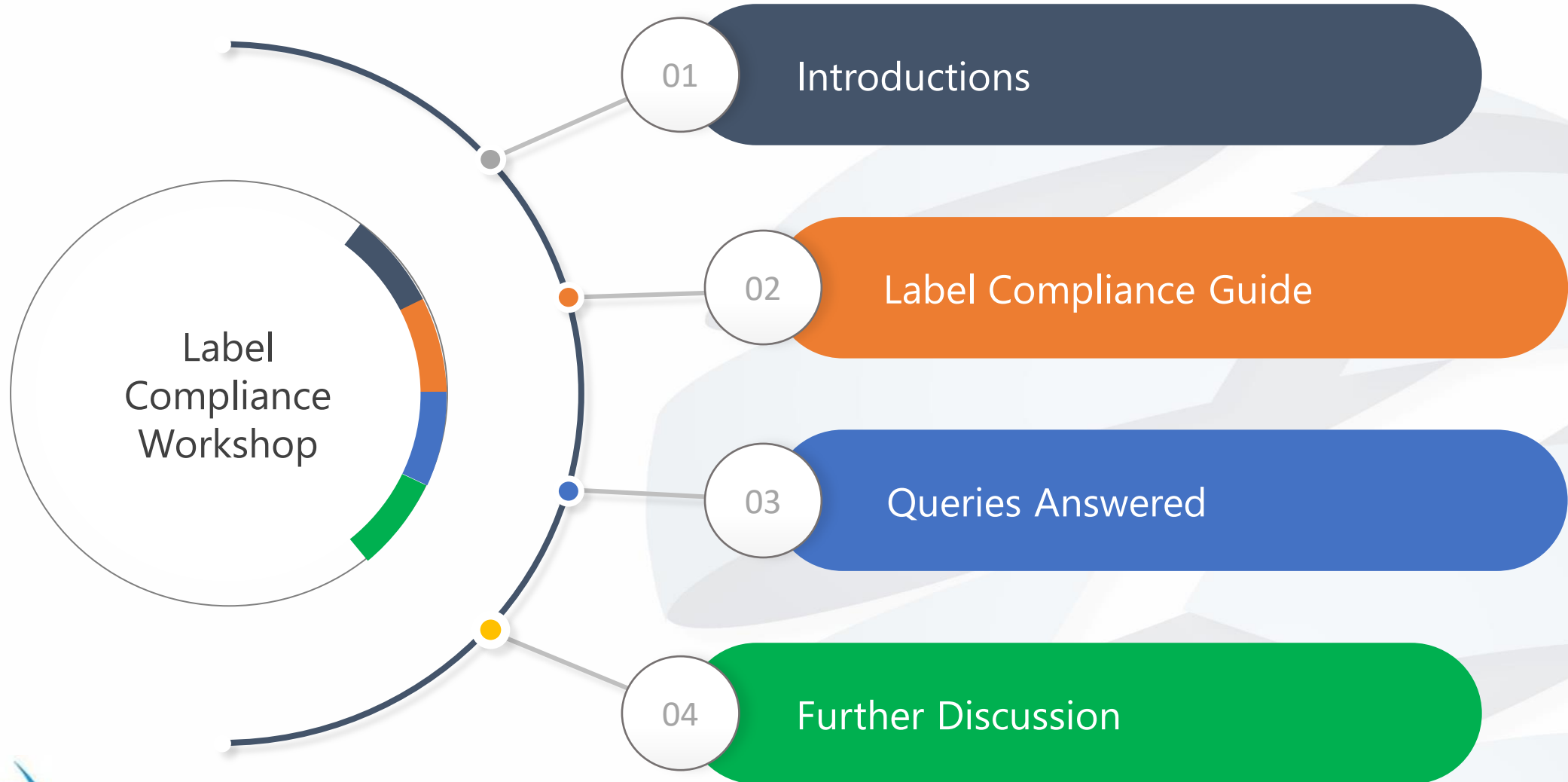
- discuss or agree on prices, price changes or any element of price (including rebates, discounts, credit terms or surcharges),
- discuss or agree on bids or tenders, including who is bidding or not and on what terms;
- discuss or agree on the products they each supply or the quantity they supply;
- discuss or agree on marketing territories or the locations they supply;
- discuss or agree on the customers, suppliers or other third parties they deal with, or the terms on which they deal (with them including trading terms and conditions);
- exchange any non-public or commercially sensitive information relating to:
 - prices or price changes (including any element of price)
 - purchasing, production and supply chain strategy or capacity,
 - marketing, advertising or promotional strategy, or
 - profit, costs or revenues.

Such topics must be avoided both in the formal meetings and in any informal discussions before, during or after meetings. Please keep discussions within the scope of the set agenda items as off-topic discussions may represent a compliance risk.

Participants are encouraged at any time to challenge any discussions that might contravene this statement.

The workshop contains general information only. The AFGC is not, by means of this publication or session, rendering business, financial, investment, trade, legal, tax or other professional advice. Professional advice should be sought independently, including advice on regulatory requirements of exporting to and selling food and groceries in China. This Guide or the workshop is not intended to replace or override existing regulations and supporting documents such as the China National Food Standards (GB Standards) or the Australian Manual of Importing Country Requirements (MICoR).

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Sauces, Jams, Condiments

Muesli, Crackers

Medicines, Wellness

Honey

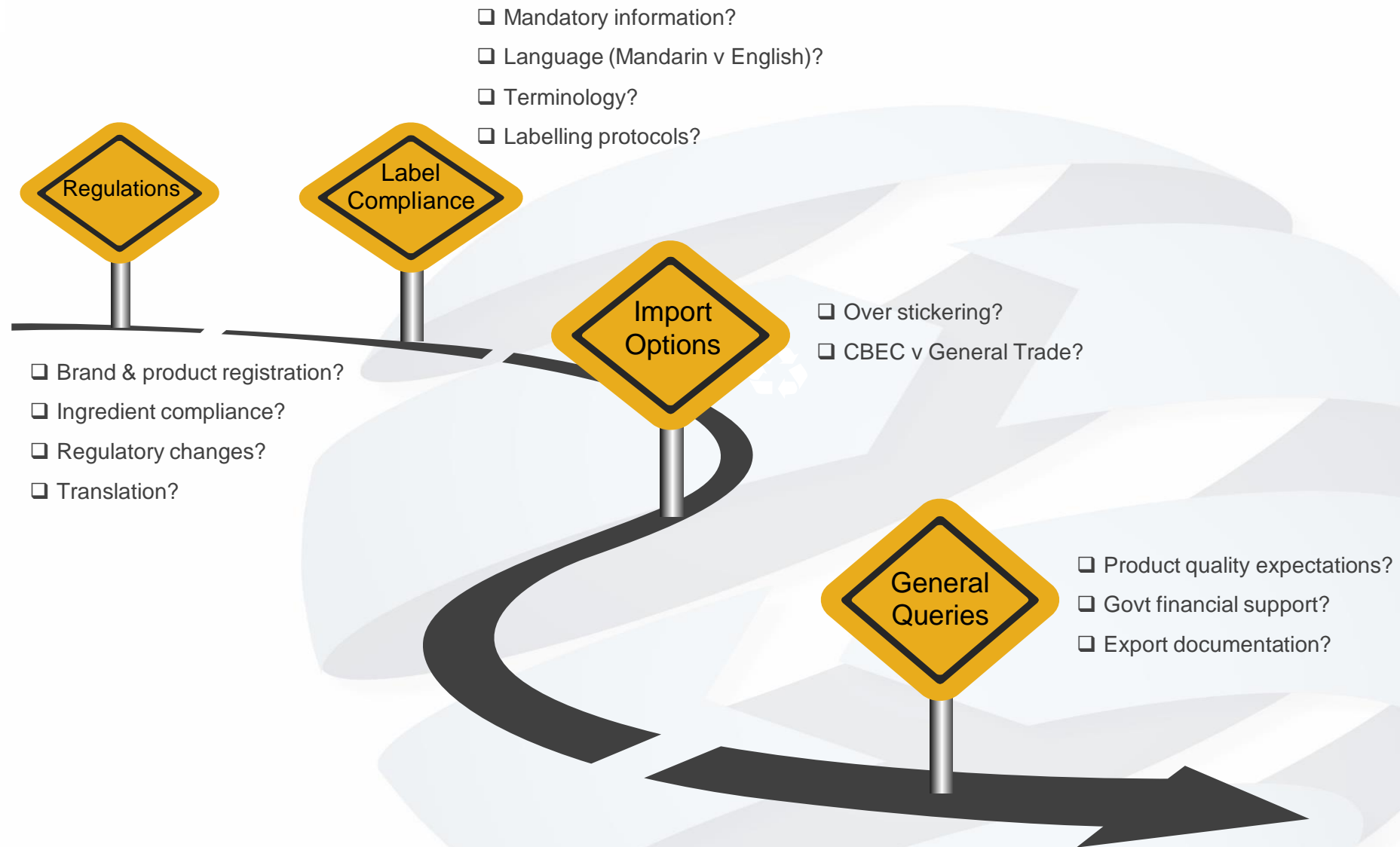
Dairy

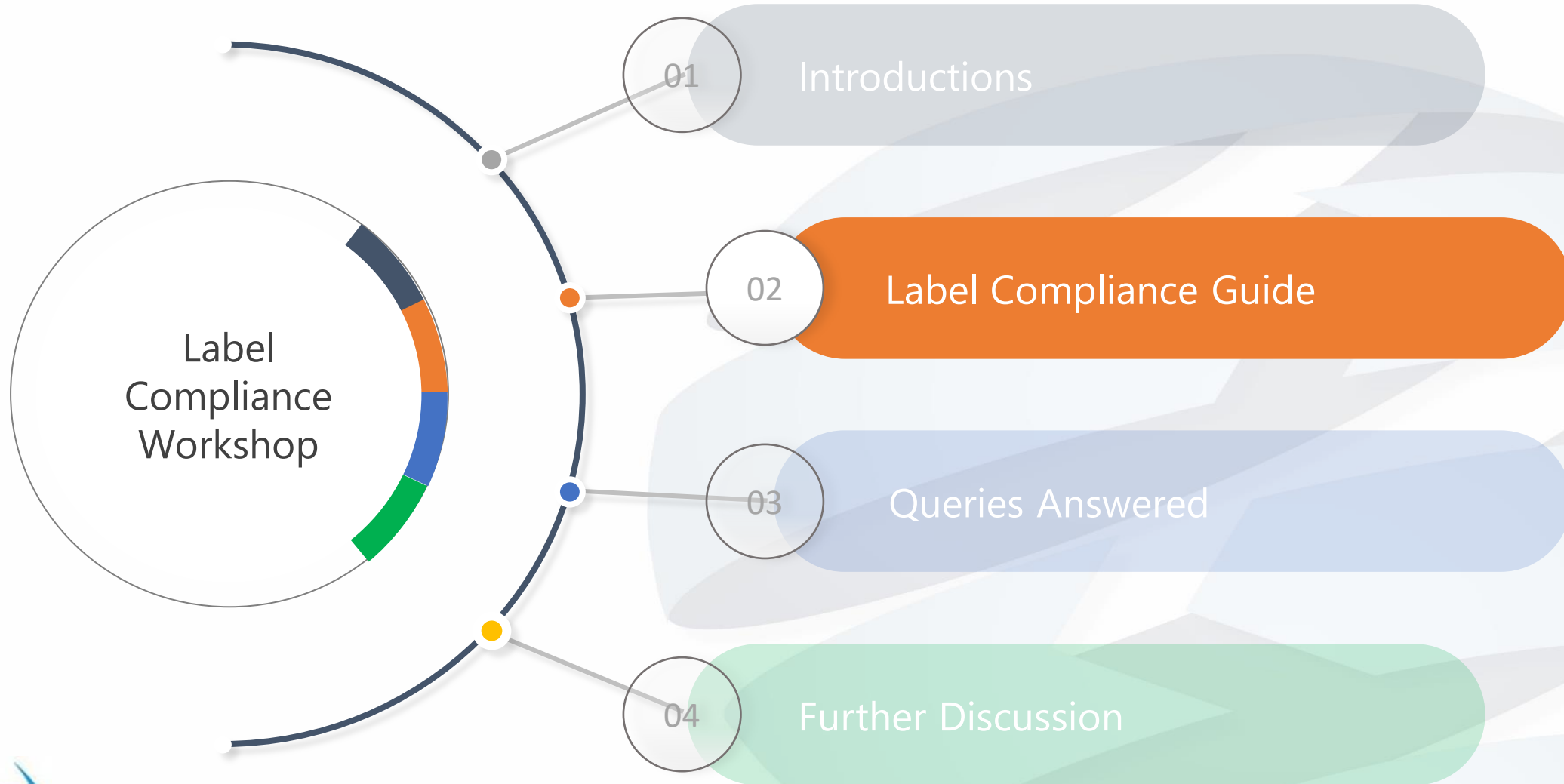
Pet Food

Dairy

Health Foods

Wellness Products





- ❑ Strictest Food Safety Law ever enacted
- ❑ Applicable to both domestic and imported foods
- ❑ Should be first point of reference for all exporters



GB Standards

- ❑ GB7718-2011 General Rules for the Labelling of Prepackaged Foods
- ❑ GB28050-2011 General Principles for Nutrition Label of Prepackaged Foods
- ❑ GB13432-2013 Prepackaged Special Dietary Food Labels

Basic Principles

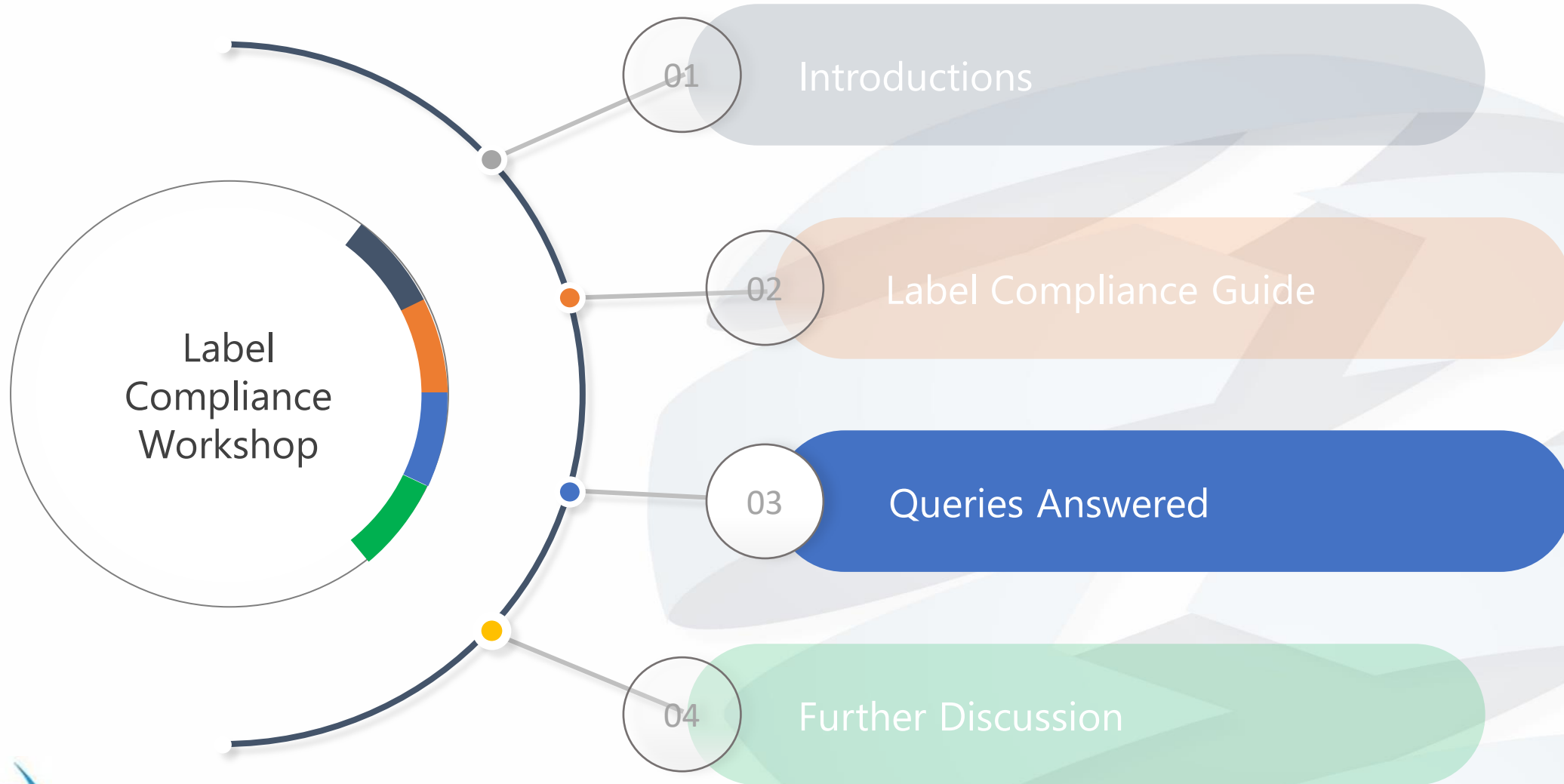
- ❑ Legibility
- ❑ Understanding
- ❑ Accuracy
- ❑ Completeness

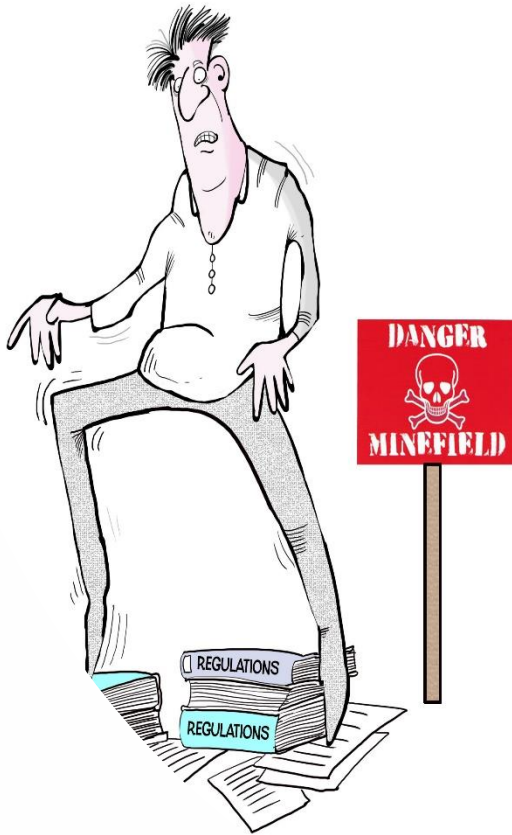
Exceptions

- ❑ Cross Border eCommerce pathway (CBEC)
- ❑ Specific food categories
- ❑ Small product packs
- ❑ Optional label declarations

Mandatory (and optional) label declarations...

Label Declaration	Mandatory	Optional	Exception
Name of food	✓		
List of ingredients & Nutritional Information Panel	✓		List of ingredients can be excluded if unit largest surface area is less than 10cm ²
Net weight and configuration	✓		
Importer and/or distributor name, address and contact details	✓		
Date of manufacture and date of minimum durability (use by)	✓		Use By date can be excluded for foods where this cannot be determined
Conditions for storage	✓		Can be excluded if unit largest surface area is less than 10cm ²
Food production license number (where required)	✓		Can be excluded if unit largest surface area is less than 10cm ²
Irradiated foods	✓		Can be excluded if unit largest surface area is less than 10cm ²
Genetically modified foods	✓		Can be excluded if unit largest surface area is less than 10cm ²
Nutrient components and weight (for diet foods and supplements for infants & babies)	✓		
Batch identification		✓	
Instructions for use		✓	
Allergies		✓	





“What is the process for registering our goods or our company?”

- ❑ There is a GACC filing system for registering manufacturer, exporter and importer. This is a straightforward one off process however it can be difficult for foreign companies due to language difficulties. Most times the process is managed by the China partner
- ❑ For certain food categories, the processing facilities in Australia must be certified by CNCA (e.g. dairy, seafood, meat and fruit) This can be a lengthy process



China is a ‘first-to-file’ country meaning that the person who registers your trademark first will get all the rights to distribute and sell the products. Process is straightforward and inexpensive

“What are the specific regulations around ingredients in China (e.g., additives, GM, milk fat etc.)”

- ❑ There are multiple GB Food Standards that specify food health and safety criteria and these must be read in conjunction with category specific food standards
- ❑ As highlighted in the Guide, exporters should check the GB Standards relevant to their food category to determine ingredients compliance before progressing with label compliance.



For some food categories, additional label compliance requirements may be listed in the category specific GB Standards.



“Is there a grace period provided when regulations change?”

- ❑ Typically regulatory changes are provided to the WTO and issued for general comment and feedback prior to being formalised (normally 3 – 6 months grace period) but there is no guarantee that this will always be the case.



We have seen situations where regulatory changes have been announced well in advance of being implemented but exporters had not been alerted to the fact by their China partners

“Who is responsible for translating regulations?”

- ❑ As the exporter, you will be responsible for any non compliant shipment therefore wherever possible you should assume responsibility for checking source documents (and arranging translations where required)



Shipments rejected due to non compliant labels are recorded on the GACC Blacklist

“What are the labelling protocols and requirements?”

- ❑ Labelling protocols are listed in the following GB Standards:
 - *National Food Safety Standard GB7718-2011: General Rules for the Labelling of Prepackaged Foods*
 - *National Food Safety Standard GB28050-2011: General Principles for Nutrition Label of Prepackaged Foods*
 - *National Food Safety Standard GB13432-2013: Prepackaged Special Dietary Food Labels*



Requirements for the content and format of the information displayed on the product label of all prepackaged foods sold, directly or indirectly, to consumers



Requirements for the content and format of the information to be displayed on the nutritional information panel (NIP) component of the product label



Additional label requirements applicable to special dietary products

National Food Safety Standard GB7718-2011: General Rules for the Labelling of Prepackaged Foods

3.0 Basic Requirements

- ✓ Compliance with related food safety standard
- ✓ Legible, understandable
- ✓ Factual and accurate
- ✓ Health claim restrictions
- ✓ Language requirements
- ✓ Font sizes

4.0 Labelling Information

- ✓ Food name
- ✓ List of ingredients
- ✓ Quantitative labelling
- ✓ Net weight & configuration
- ✓ Contact requirements, date marking
- ✓ Conditions for storage
- ✓ Food production license number and product code (if applicable)
- ✓ Nutrition label
(requirements detailed in GB28050-2011)

4.3 Exemptions

- ✓ Food categories exempted from declaring use by / expiry date
- ✓ Exemptions from declaring some mandatory information due to package size

4.4 Optional Information

- ✓ Batch identification
- ✓ Instructions for use
- ✓ Allergies

National Food Safety Standard GB28050-2011: General Principles for Nutrition Label of Label of Prepackaged Foods

3.0 Basic Requirements

- ✓ Factual and accurate
- ✓ Language requirements
- ✓ Font sizes
- ✓ NIP design and placement
- ✓ Nutritional value calculations

4.0 Labelling Information

- ✓ Energy content
- ✓ Core nutrients and their percentage in nutrient reference value (NRV)
- ✓ Requirements for nutritional or functional statements (if declared)
- ✓ Requirements for pre-packaged foods containing nutritional enhancer
- ✓ Requirements where hydrogenated oil and fat are present food ingredients or used during food production

7.0 Exemptions

- ✓ Food categories exempted from compulsory nutritional labelling

5.0 Optional Information

- ✓ Table 1 of this GB Standard lists optional components for NIP declaration

“Why are some words not allowed to be declared on the label”?
(e.g. ‘active’, naturally bioactive’, ‘organic’)

- China food labelling laws require label claims to be ‘true and accurate and shall not be described or presented in a manner that is false, misleading, or deceptive’ (see GB7718-2011, 3.4). Similarly, the product label cannot include words or images which are ‘suggestive ... of any other product with which such food ... might be confused’ (see GB7718-2011, 3.5).



Some examples of label claims that may create issues:

FIGURE 8 – Examples of product claims that would require validation



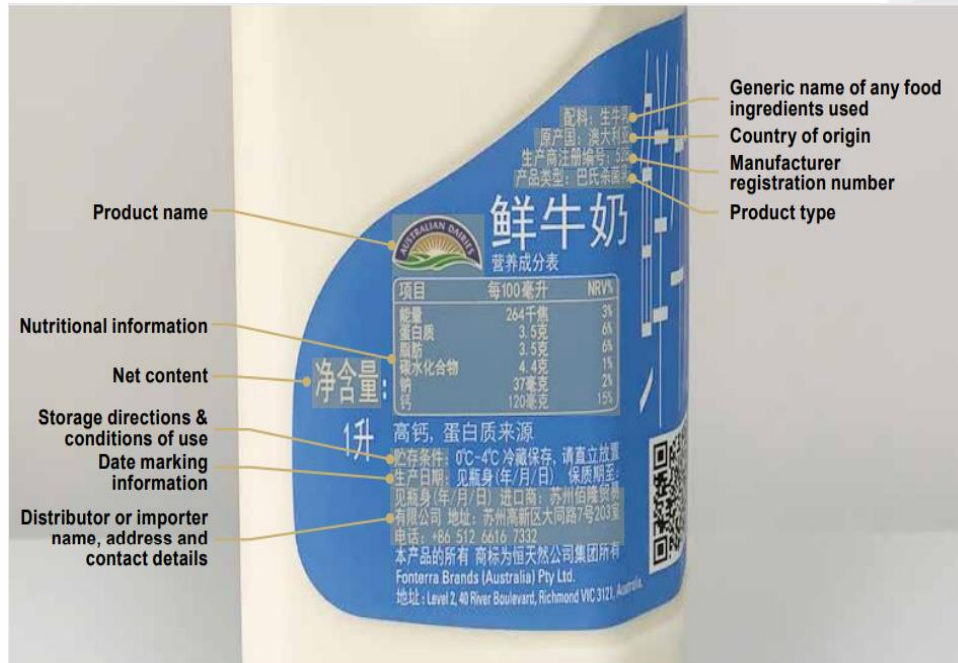
1. Difficult to quantify
2. Proof of certification required
3. Enterprise must have China-approved organic certification
4. Health claims are not allowed unless approved for import as a health product

“Can China compliant labels be applied in China?”

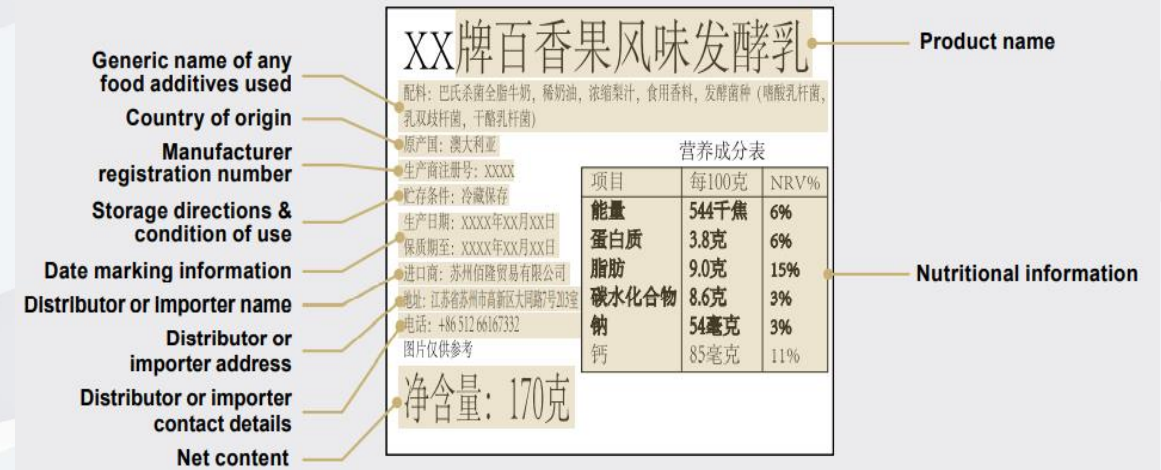
- ❑ The over sticker is simply a black and white label listing exactly the same mandatory information and NIP values as specified in GB7718 and GB28050.
- ❑ The label information has to be consistent with the English label information
- ❑ Labels must be applied under GACC supervision.



Over stickers can sometimes be applied haphazardly which could detract from the product appearance on shelf



Example of China compliant product label
(applied during production)



Labels on the image include: XX牌百香果风味发酵乳; 配料: 巴氏杀菌全脂牛奶, 稀奶油, 浓缩梨汁, 食用香料, 发酵菌种(嗜酸乳杆菌, 乳双歧杆菌, 干酪乳杆菌); 原产国: 澳大利亚; 生产商注册号: XXXXX; 贮存条件: 冷藏保存; 生产日期: XXXXX年XX月XX日; 保质期至: XXXXX年XX月XX日; 进口商: 苏州佰隆贸易有限公司; 地址: 江苏省苏州市青新区大同路7号203室; 电话: +86 512 66167332; 图片仅供参考; 净含量: 170克.

营养成分表		
项目	每100克	NRV%
能量	544千焦	6%
蛋白质	3.8克	6%
脂肪	9.0克	15%
碳水化合物	8.6克	3%
钠	54毫克	3%
钙	85毫克	11%

Example of China compliant overlay label
(applied after production & prior to import clearance)

“How does CBEC requirements differ from General Trade?”

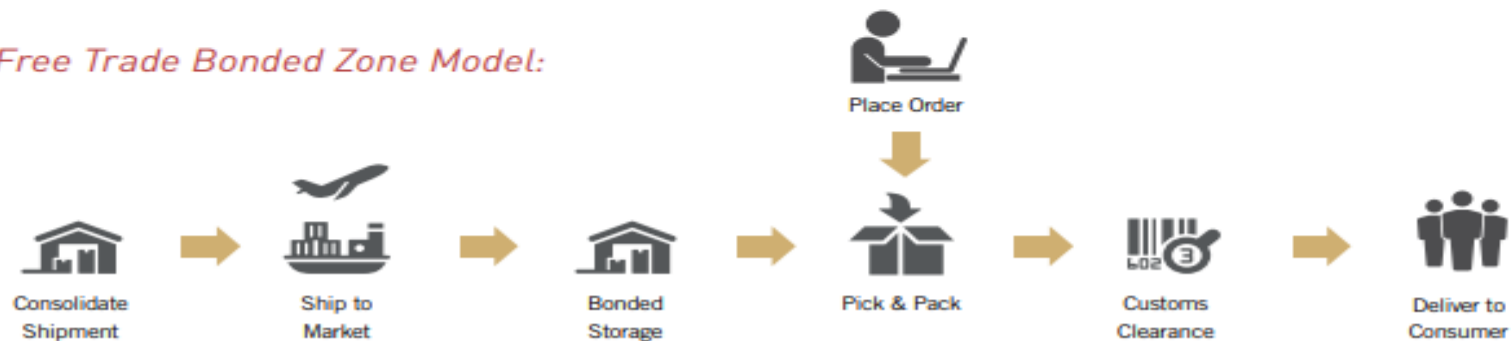
- ❑ There are no China compliance label requirements for goods imported via the CBEC pathway.
- ❑ CBEC retail imports are regulated as items imported for personal use and not for resale.
- ❑ There are no requirements for license approval, registration or record filing for first-time importation, as long as the goods are on the ‘List of Goods under Cross-border E-commerce Retail Importation’ (commonly referred to as the ‘CBEC Positive List’).
- ❑ The commercial transaction must be between the consumer and the overseas entity. Business to business (B2B) transactions are not permitted.

CBEC Business Models

Direct Mail Model:



Free Trade Bonded Zone Model:



“What export documentation is required?”

For General Trade imports, requirements for documents such as Australian health certificate and Certificate of Analysis vary depending on food category and mode of transport, others such as packing list and commercial invoice typically always required.

Whenever your product is selected by GACC for inspection the following documentation must be provided;

If over stickering:

- a copy of the original English label,
- the Chinese translation of the English label
- The over sticker

If pre printed:

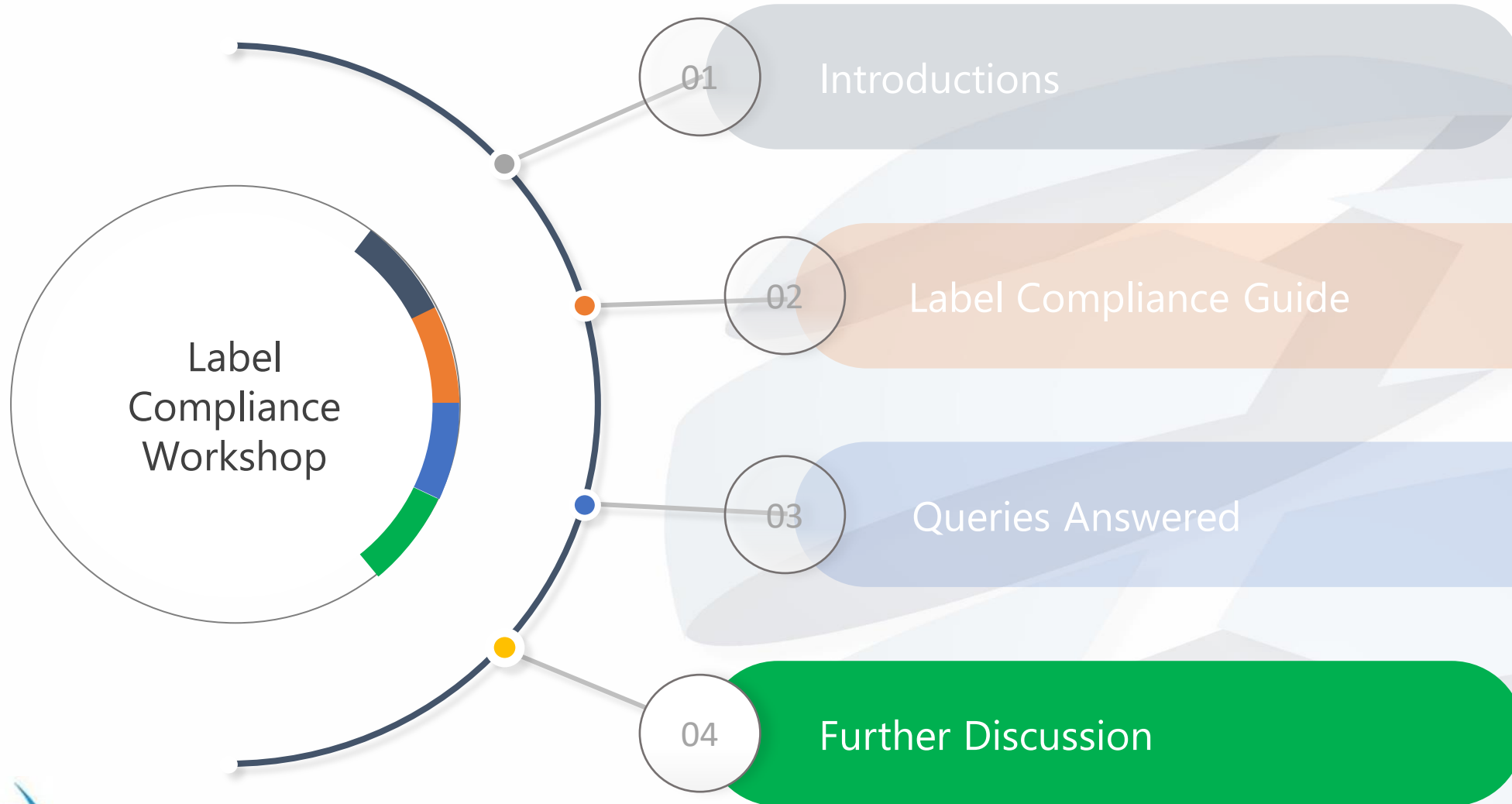
- The China compliant label

“Do China distributors and/or consumers have a higher quality expectation than Australian consumers?”

Outside the scope of this Guide. Can only offer a personal observation that Chinese consumers appear to be more focussed on product health and safety than Australian consumers who tend to assume industry health and safety standards are adequate

“Is there any Aust. Govt. financial assistance for specific labelling compliance capital investment?”

Outside the scope of this Guide sorry. I am not personally aware of any formal Govt. funding programme





Thank you

We welcome any questions?

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